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September 18, 2023

VIA EMAIL asavitzky@aclu.org **and U.S. MAIL**

Ari Savitzky, Esq.
ACLU Foundation
125 Broad Street, 18th Floor
New York, NY 10004

Re: *Dyamone White, et al v. State Board of Election Commissioners, et al*; United States District Court, Northern District of Mississippi; Civil Action No. 4:22-cv-00062-SA-JMV

Dear Mr. Savitzky:

We are in receipt of your request to schedule depositions of our two experts, Professor Swanson and Professor Bonneau. Assuming agreement can be reached, the defense anticipates having a lawyer present with the witness. We have done this in the earlier telephonic depositions to which we have agreed, and we detected no problems in doing so.

However, these will be the first depositions in which interstate travel has been necessary to bring the witness and the lawyer together. That adds a great deal of time and expense to the process. If you will agree to pay travel expenses for whoever has to travel, the expert or the lawyer, as well as the fees for the expert's time for preparation and appearance, we will agree to a video deposition.

Assuming we can reach agreement, Professor Bonneau can be available on September 28 or 29. Professor Swanson will be in trial in Louisiana during the week of October 2. He believes that he can be available for deposition shortly thereafter. We will contact you as soon as we know a date when both Professor Swanson and counsel can appear.

Given the considerable expense involved, which must be borne by someone, we ask you carefully to consider whether you need to take these depositions. If you believe depositions to be necessary, then we will not resist your request, assuming we can reach agreement on expenses.

Ari Savitzky, Esq.
September 18, 2023
Page 2

We look forward to your further thoughts on this matter.

Sincerely,

WISE CARTER CHILD & CARAWAY, P.A.



Michael B. Wallace

MBW:ksh

cc: All Counsel of Record (via email)